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UNUM LIFE INSURANCE COMPANY OF AMERICA
7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO / OAKLAND DIVISION**

11
12 ROGER KIRK,) Case No. 3:23-cv-02040-RFL
13 Plaintiff,)
14 vs.)
15 UNUM LIFE INSURANCE COMPANY OF)
16 AMERICA,)
17 Defendant.)
18 _____)

) STIPULATION TO DISMISS ENTIRE
ACTION WITH PREJUDICE; AND
[PROPOSED] ORDER
)
)
)
)
)
)

18 IT IS HEREBY STIPULATED, by and between Plaintiff ROGER KIRK and Defendant
19 UNUM LIFE INSURANCE COMPANY OF AMERICA, by and through their attorneys of record,
20 that this action shall be dismissed in its entirety with prejudice as to all defendants pursuant to Rule
21 41(a) of the Federal Rules of Civil Procedure. Each party shall bear its own attorneys' fees and costs.

22 The Parties further stipulate and request that all dates set in this matter be vacated and taken
23 off the Court's calendar.

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1 The Parties seek the Court's approval of the dismissal of the action with prejudice.
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4 **IT IS SO STIPULATED.**

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6 Dated: November 28, 2023

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8 Brian H. Kim
9 James P. Keenley
10 Emily A. Bolt
11 BOLT KEENLEY KIM LLP

12

13 By: /s/ Brian H. Kim
14 Brian H. Kim
15 Attorneys for Plaintiff
16 ROGER KIRK

17

18 Dated: November 28, 2023

19

20 Nicole Y. Blohm
21 Jonathan H. Semerjian
22 MESERVE, MUMPER & HUGHES LLP

23

24 By: /s/ Nicole Y. Blohm
25 Nicole Y. Blohm
26 Attorneys for Defendant
27 UNUM LIFE INSURANCE COMPANY
28 OF AMERICA

19 **Filer's Attestation - Local Rule 5-1.(i)(3)**

20 The filing attorney attests that she has obtained concurrence regarding the filing of this
21 document and its content from the signatories to this document.

*****ORDER*****

Based upon the Stipulation of the Parties and for good cause shown,

IT IS HEREBY ORDERED that this action is dismissed in its entirety as to all defendants with prejudice.

IT IS HEREBY FURTHER ORDERED that all dates previously set in this matter are hereby vacated and taken off the Court's calendar.

IT IS HEREBY FURTHER ORDERED that each Party shall bear its own attorneys' fees and costs in this matter.

IT IS SO ORDERED:

Dated: Nov. 30, 2023


Hon. Rita F. Lin
United States District Judge